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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/673,274 | 02/02/2001 | Mireille Lamberty | A33595-PCT USA | 3555 |

21003 7590 06/03/2003

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30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

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| EXAMINER |
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LIU, SAMUEL W

| ART UNIT | PAPER NUMBER |
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1653

DATE MAILED: 06/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|
| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
| 09673274 | 02/02/01 | Mireille Lamberty | A 35595-PCTUSA |

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| EXAMINER |
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Samuel Weilin

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| ART UNIT | PAPER |
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Commissioner for Patents

The response filed on 8 April 2003 (Paper No. 21) is not fully responsive to the prior Office action mailed 3 November 2003 because the elected SEQ ID NO: 39 reads on a large number of amino acid sequences, whereas according to the restriction requirement mailed 30 September 2002, election of a single amino acid sequence is required under 35 USC 121. Please note that the teaching of Hoffman et al. reference (1992, Immunol. Today, 13, 411-415) with regard to the antibacterial peptides (see Figure 1) reads on the sequence of SEQ ID NO:39.

Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Karen Cochran Carlson PhD

KAREN COCHRANE CARLSON, PH.D.
PRIMARY EXAMINER